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C O N F I D E N T I A L SECTION 01 OF 02 KIEV 000659

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E.O. 12958: DECL: 02/17/2016

TAGS: PHUM PGOV

SUBJECT: UKRAINE: UPDATE ON REFOULEMENT OF UZBEKS

REF: A. HULTMAN-GWALTNEY 2/16 E-MAIL

1B. KIEV 558

1C. 05 KIEV 4971

Classified By: Deputy Chief of Mission Sheila Gwaltney for reasons 1.4 (b) and (d).

Summary

1. (C) On February 17, Ambassador passed Foreign Minister Tarasyuk a non-paper on Ukraine's February 14 refolement of a group of Uzbek asylum seekers. Tarasyuk said that he became aware of incident through media reports and had asked for an explanation from the Ukrainian law enforcement community; he pledged that MFA would respond to our concerns. Separately, UNHCR Deputy Regional Representative Isabelle Mihoubi told us that she and Regional Representative Simone Wolken had met on the morning of February 17 with a group of Uzbek community leaders and asylum seekers. The group blasted UNHCR for being "useless" and asserted that only 10 of the 11 Uzbeks detained in Simferopol had been deported to Uzbekistan; the 11th man was missing, they asserted, and may have been badly beaten or possibly killed by Uzbek security force agents -- allegations Mihoubi could not confirm. Mihoubi related that she and Wolken had also met on February 17 with the Chairman of the Rada's Human Rights Committee, former Foreign Minister Udovenko; he blamed "the local authorities" in notoriously anti-Yushchenko Simferopol for illegally deporting the Uzbeks in a bid to embarrass the president. After "making some calls," Udovenko also claimed that the deported Uzbeks might have been "terrorists." Following the meeting with Udovenko, Mihoubi said that she and Wolken had a "very short" private discussion with the Chairman of the State Committee for Nationalities and Migration, Serhiy Rudyk. According to Mihoubi, Rudyk was "extremely honest," acknowledging that the Uzbeks had been refoled in violation of Ukrainian law. He said he was headed for Simferopol to look into the incident, which he characterized as a matter handled exclusively by the "security forces" of Ukraine and Uzbekistan. End summary.

FM Tarasyuk On Refoulement

2. (C) At the end of a February 17 meeting between Foreign Minister Tarasyuk and visiting Commerce Department Deputy Secretary David Sampson, Ambassador passed Tarasyuk ref A

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non-paper on Ukraine's February 14 refolement of a group of Uzbek asylum seekers. Tarasyuk said that he had first heard about the incident via media reports, and had asked the Ukrainian law enforcement community for an explanation. Tarasyuk asserted that he had also urged his law enforcement colleagues to "think about the foreign policy implications" of their actions and to consult with MFA about sensitive cases like that of controversial Russian political scientist Kirill Frolov, who was unceremoniously deported from Simferopol on January 27. Tarasyuk told Ambassador that MFA would provide a response to our concerns.

UNHCR Kiev: Blasted By Uzbek Community...

3. (SBU) Kiev-based UNHCR Deputy Regional Representative Isabelle Mihoubi told us late February 17 that she and Regional Representative Simone Wolken had met for more than two hours on the morning of the 17th at the Kiev office of the Hebrew Immigrant Aid Society (ref B) with a group of 15 Uzbek community leaders and asylum seekers. The group blasted UNHCR for being "useless" and asserted that only 10 of the 11 Uzbeks detained in Simferopol had actually been deported on February 14; an 11th man was allegedly missing. The group further claimed that the "missing man" may have been badly beaten, or even killed, by Uzbek security force agents who, according to Ukrainian press reports, were present at the detention center where the men were held prior to their deportation. Mihoubi noted that UNHCR did not know where the 11th Uzbek detainee was, and added that she and her colleagues were trying to find out. (Note: A Human Rights Watch February 17 press release indicated that the 11th man was not deported because he had relatives in Ukraine. End note.)

...Spun By An MP...

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14. (SBU) Mihoubi said that she and Wolken had met on the afternoon of February 17 with the Chairman of the Rada Committee on Human Rights, National Minorities and Inter-Ethnic Relations, former Foreign Minister Henadiy Udovenko. They asked Udovenko for his help in persuading the Ukrainian government to engage with UNHCR on the issue; thus far, the government had only authorized a low-level official at the State Committee on Nationalities and Migration (SCNM) to inform UNHCR that the Uzbeks had been "deported in accordance with Ukrainian law."

15. (SBU) The M.P., noting that he had "made some calls," attempted to shift the blame from the national to the Crimean government. Udovenko asserted that "local authorities" in vociferously pro-Russia, anti-Yushchenko Simferopol had deported the Uzbeks in order to embarrass the Yushchenko administration. He added, though, that the Uzbeks were deported by the Security Service of Ukraine (SBU), which had suggested that the Uzbeks "might be terrorists." Udovenko pledged that there would be a parliamentary inquiry into the incident.

...And Stunned By Rudyk  
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16. (C) Following the meeting with Udovenko, Mihoubi said that she and Wolken had a "very short" private conversation with SCNM Chairman Serhiy Rudyk in his office. Characterizing Rudyk as "extremely honest" (ref C), Mihoubi asserted that the Chairman had said that UNHCR was right: the Uzbeks had been refoaled in violation of Ukrainian law. Specifically, he explained that the men had not been given an opportunity to appeal their court-ordered deportation; he dismissed as "nonsense" reports that the Uzbeks had voluntarily waived their right to an appeal. Rudyk told UNHCR that he was departing for Simferopol to personally look into what happened. He emphasized that the SCNM had not been involved in the incident, describing it as a matter handled exclusively by the "security forces" of Ukraine and Uzbekistan.  
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